

**CX – 23**



Reply To: OCE-101

UNITED STATES ENVIRONMENTAL PROTECTION  
REGION 10  
1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

June 17, 2016

Mr. Dave Erlanson, Sr.  
P.O. Box 46  
Swan Valley, Idaho 83449

Re: Complaint and Notice of Opportunity for Hearing  
EPA Docket No. CWA-10-2016-0109

Dear Mr. Erlanson:

Enclosed is a Complaint and Notice of Opportunity for Hearing that has been filed against Dave Erlanson, Sr. ("Respondent") by the U.S. Environmental Protection Agency ("EPA"), Region 10. A copy of the Consolidated Rules of Practice is also enclosed. Please read these documents carefully and respond to EPA's allegations within the time limit specified in the Complaint.

The Complaint alleges that Respondent violated provisions of the Clean Water Act ("CWA") when operating a suction dredge in the South Fork Clearwater River by discharging pollutants from the suction dredge into a water of the United States without authorization under an NPDES Permit, in violation of Section 301(a) of the CWA, 33 U.S.C. § 1311(a). The allegations are described in more detail in the enclosed Complaint.

As provided in the Complaint, Respondent has 30 days from service of the Complaint to file a written answer and request a hearing. If you fail to file an answer within 30 days after service of the Complaint, you may be found in default and have a default order entered pursuant to 40 C.F.R. § 22.17.

Whether or not you request a hearing, you may request an informal settlement conference with the EPA to discuss this matter. If you wish to request a conference, or if you have any questions about this matter, please contact Endre Szalay, Assistant Regional Counsel, at [szalay.endre@epa.gov](mailto:szalay.endre@epa.gov) or (206) 553-1073.

If you retain legal representation in this matter, then your attorney should contact Mr. Szalay at the email address or telephone number provided. **Note that a request for an informal settlement conference does not extend the 30 day period for filing a written answer requesting a hearing, nor does it waive your right to request a hearing.**

Sincerely,

Edward J. Kowalski  
Director

Enclosures

1. Complaint
2. 40 C.F.R. Part 22 Consolidated Rules

7011 2970 0000 0876 4804

Sent To: Dave Erlanson, Sr.  
Street, Apt. No.: PO Box 46  
or PO Box No.:  
City, State, ZIP+4: Swan Valley, Idaho 83449  
PS Form 3800, August 2006 See Reverse for Instructions

Postage	\$
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

U.S. Postal Service<sup>TM</sup>  
CERTIFIED MAIL<sup>TM</sup> RECEIPT  
(Domestic Mail Only; No Insurance Coverage Provided)  
For delivery information visit our website at [www.usps.com](http://www.usps.com)  
OFFICIAL USE

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

U.S. Environmental Protection Agency  
1200 Sixth Avenue, Suite 900, ORC-113  
Seattle, Washington 98101  
(206) 553-1037

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dave Erlanson, Sr.  
PO Box 46  
Swan Valley, Idaho 83449

2. Article Number  
(Transfer from service label)

7011 2970 0000 0876 4804

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Dave Erlanson*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

4/30/16

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail

☐ Registered ☐ Return Receipt for Merchandise

☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SALT LAKE CITY  
UNITED STATES POSTAL SERVICE  
30 JUN '16  
PM 11



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Shannon Connery  
US Environmental Protection Agency  
1200 Sixth Avenue, Suite 900, M/S ORC-113  
Seattle, WA 98101

CWA-10-2016-0109



**Connery, Shannon**

---

**From:** auto-reply@usps.com  
**Sent:** Thursday, June 30, 2016 12:35 PM  
**To:** Connery, Shannon  
**Subject:** USPS Shipment Info for 70112970000008764804

**Tracking Number: 70112970000008764804**

---

Hello shannon connery,

**Thank you for using  
USPS.com.**

This is a post-only message. Please do not respond.

shannon connery has requested that you receive a USPS Tracking® update, as shown below.

USPS Tracking® e-mail update information provided by the U.S. Postal Service.

Tracking Number: 70112970000008764804

Updated Delivery Date: June 28, 2016

Service Type: Certified Mail™

---

Shipment Activity	Location	Date & Time
Delivered, Individual Picked Up at Post Office	SWAN VALLEY, ID 83449	June 30, 2016 12:13 pm
Available for Pickup	SWAN VALLEY, ID 83449	June 27, 2016 12:28 pm
Arrived at Unit	SWAN VALLEY, ID 83449	June 27, 2016 12:28 pm
Departed USPS Facility	SALT LAKE CITY, UT 84199	June 26, 2016 5:23 pm
Arrived at USPS Facility	SALT LAKE CITY, UT 84199	June 25, 2016 7:21 am
Departed USPS Facility	SEATTLE, WA 98168	June 24, 2016 7:16 am
Arrived at USPS Facility	SEATTLE, WA 98168	June 23, 2016 9:19 pm

---

Reminder: USPS Tracking® by email

Date of email request: June 29, 2016

Future activity will continue to be emailed for up to 2 weeks from the Date of Request shown above.  
If you need to initiate the USPS Tracking® by email process again at the end of the 2 weeks, please



do so at the USPS Tracking® site at <http://www.usps.com/shipping/uspstrackingfaqs.htm>

Results provided by the U.S. Postal Service.

Want to Track on the go?

You can track your packages using USPS Text Tracking™ by texting your tracking number to 28777 (2USPS™) or selecting the Text Update option on our USPS Tracking® site. Standard Message and Data Rates may apply.

For more information go to <https://www.usps.com/text-tracking/welcome.htm>

Download USPS Mobile®



---

[USPS.com](#) | [Privacy Policy](#) | [Customer Service](#) | [FAQs](#)



This is an automated email please do not reply to this message. This message is for the designated recipient only and may contain privileged, proprietary, or otherwise private information. If you have received it in error, please delete. Any other use of the email by you is prohibited.